

Message Text

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PAGE 01 BANGKO 19369 311124Z
ACTION H-02

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P 311041Z AUG 77
FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC PRIORITY 5709

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E.O. 11652: N/A
TAGS: SHUM, TH
SUBJ: TEXT OF LETTER TO REP. DONALD FRASER FROM THAI HUMAN
RIGHTS GROUP

SUMMARY

FOLLOWING IS THE TEXT OF A COPY OF A LETTER DATED
AUGUST 5, 1977 FROM THE OCTOBER 6 DETAINEES' RELATIVES
GROUP, BANGKOK, THAILAND, ADDRESSED TO THE REP. FRASER,
DELIVERED TO THE EMBASSY AUGUST 29. END SUMMARY

QTE. 1. YOUR HONORABLE CHARIMAN: WE THE UNDERSIGNED, RELATIVES
OF THE OCTOBER 6, 1976 DETAINEES IN THAILAND, WOULD
LIKE TO TAKE THIS OPPORTUNITY TO EXPRESS OUR SINCERE SUPPORT
TO YOUR CONCERN AND EFFORT TO CONSIDER THE HUMAN RIGHTS
SITUATION IN THAILAND.

2. WE HAVE LEARNED THAT THE PRESENT GOVERNMENT OF THAILAND HAS
RECENTLY BEEN UNDER SCRUTINY BEFORE THE SUBCOMMITTEE OF THE U.S.
HOUSE OF REPRESENTATIVES FOREIGN RELATIONS COMMITTEE, AND WE IN
THIS LETTER HOPE THAT YOUR HONORABLE AND THE SUBCOMMITTEE,
WOULD DIRECT SOME SUBSTANTIAL EFFORT AND ATTENTION TO LEGAL
PRACTICE AND PROCESS ADMINSTRATED BY THIS PRESENT THAI GOVERN-
MENT IN RELATION TO THE OCTOBER 6 CASES. WE ALSO ARE OF THE
OPINION THAT THE U.N. UNIVERSAL DECLARATION OF HUMAN RIGHTS
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ADOPTED IN 1948 MIGHT BE VIOLATED, PARTICULARLY ARTICLES 10, 11.1
AND 11.2.

3. AS YOU KNOW, THE PRESENT THAI GOVERNMENT HAS ARMED ITSELF
WITH A CONSTITUTION WHICH GIVES THE STATE ALL-EMBRACING POWERS
TO EXERCISE OVER THE THAI CITIZENS. FOR INSTANCES, ARTICLES
18 OF THE COMMUNIST SUPPRESSION ACT OF 1969 ALLOWS SUSPECTS

TO BE DETAINED FOR UP TO 480 DAYS WITHOUT A PUBLIC HEARING ON THE AUTHORITY OF THE POLICE ALONE. THE NATIONAL ADMINISTRATIVE REFORM COUNCIL WHICH BECAME THE PRIME MINISTER'S ADVISORY COUNCIL WHEN THE CONSTITUTION WAS PROMULGATED ON OCTOBER 22, 1976 HAS ANNOUNCED ITS DECREE NOM 1 PLACING MOST CRIMINAL FELONIES UNDER THE JURISDICTION OF MILITARY TRIBUNALS AND DENYING DEFENDANTS THE RIGHT OF APPEAL AND TO LEGAL REPRESENTATION IN CASES INVOLVING THE ROYAL FAMILY, NATIONAL SECURITY AND ACTS OF COMMUNISM.

4. THE NARC DECREE 22 ALSO GRANTS THE POLICE POWERS TO ARREST AND DETAIN PEOPLE WITHOUT TRIAL. NINE GENERAL CATEGORIES ARE DEFINED AS "PERSONS DANGEROUS TO SOCIETY" WHOM THE POLICE CAN ARREST ON THE STRENGTH OF NOTHING MORE THAN HERESAY AND HOLD FOR 30 DAYS. A SUSPECT CAN BE HELD, WITHOUT ACCESS TO LEGAL COUNSEL, AND WITHOUT BEING INFORMED OF CHARGES, CONFRONTED WITH EVIDENCE OR BROUGHT BEFORE A CIVIL COURT FOR A HEARING. FINALLY, ARTICLE 21 OF THE POST-OCTOBER CONSTITUTION STATES THAT "THE PRIME MINISTER'S ORDERS OR ACTIONS ARE LAW" WHEN HE DECLARES IT NECESSARY TO PRESERVE THE SECURITY OF THE MONARCHY, NATIONAL ECONOMY, PUBLIC ORDER AND THE MORALS OF THE PEOPLE. THE PRIME MINISTER HAS ABSOLUTE POWERS OF SUMMARY JUSTICE AND LEGAL DECREE "IN ANY MANNER NECESSARY" ON THE APPROVAL OF THE CABINET AND THE MILITARY ADVISORY COUNCIL ALONE.

5. ENCLOSED ARE COPIES OF OUR LETTERS OF COMPLAINTS TO THE LIMITED OFFICIAL USE

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PRIME MINISTER TANIN KRAIVIXIEN, THE U.N. SECRETARY GENERAL KURT WALDHEIM, AND HIS EXCELLENCY JIMMY CARTER, THE PRESIDENT OF THE UNITED STATES OF AMERICA.

6. YOUR HONORABLE CHAIRMAN, OUR UNFORTUNATE RELATIVES HAVE BEEN DETAINED FOR ALMOST A YEAR NOW WITHOUT ANY PUBLIC HEARINGS AND/OR TRIALS. WE SINCERELY FEEL THAT THEIR RIGHTS ENDOWED AND GUARANTEED BY THE UN CHARTER AND THE UNIVERSAL DECLARATION HAVE BEEN AND ARE BEING VIOLATED. WE AND OUR DETAINED RELATIVES WOULD BE MOST GRATEFUL TO YOU AND MEMBERS OF YOUR SUB-COMMITTEE IF IN SOME WAYS YOUR EFFORT AND CONCERN WILL HELP THOSE DETAINEES IN OBTAINING FAIR AND IMPARTIAL TRIALS. AT THE MOMENT, WE AND THE DETAINEES STRONGLY FEEL THAT THE GOVERNMENT OF THAILAND SHOULD GRANT THE DETAINEES THEIR RIGHTS TO LEGAL REPRESENTATION, PUBLIC HEARINGS AND FAIR AND IMPARTIAL ACCORDING TO THE U.N. UNIVERSAL DECLARATION OF HUMAN RIGHTS.

7. IT IS ALSO IMPORTANT TO NOTE THAT WE AND THE DETAINEES HAVE NO INTENTION OF INTERFERING WITH THE U.S. INTERNAL AFFAIRS. WE ONLY WISH THAT OUR RELATIVES RIGHTS BE GRANTED ACCORDING TO THE U.N. CHARTER AND DECLARATION.

8. LASTLY, WE WOULD LIKE TO EXPRESS OUR SINCERE GRATITUDE TOWARD
YOUR NOBLE CONCERN OVER THIS MATTER FOR THE CAUSE OF HUMAN RIGHTS
AND CONSEQUENTLY HELP TO HONOR AND PRESERVE THE SACRED RIGHTS
OF ALL MANKINDS.

9. YOUR CONCERN AND IMMEDIATE ACTION WOULD BE MOST GRATEFUL
NOT ONLY TO THE DETAINEES BUT ALSO THOSE WHO HONOR THE CAUSE
OF JUSTICE AS WELL. END QUOTE.

MOST RESPECTFULLY YOURS, WATCHARA SANGPRATOOM, 29/7 ARTORNUPATUM,
PRACHARAT 1 ROAD, BANGPHO, DUSIT, BANGKOK 8, THAILAND TEL: 5851741.

10. ACTION REQUESTED: THAT DEPARTMENT INFORM CONGRESSMAN FRASER'S
OFFICE REGARDING ABOVE TEXT, NOTING WE HAVE NO INFORMATION ON
SIGNERS OR GROUP. IF WE OBTAIN FURTHER INFORMATION WE WILL
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FORWARD IT.

O'DONOHUE

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Message Attributes

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